

**IN THE COURT OF COMMON PLEAS  
FOR THE STATE OF DELAWARE**

**ORDER AMENDING RULE 10  
OF THE COURT OF COMMON PLEAS  
RULES OF CIVIL PROCEDURE**

This 20<sup>th</sup> day of November, 2008, IT IS ORDERED that:

- 1) Court of Common Pleas Civil Rule 10 is amended by deleting the material in brackets and including the material underlined, as follows:

**Rule 10. Form of Pleadings.**

(a) *Caption: Names of Parties.* Every pleading shall contain a caption setting forth the name of the Court, the title of the action, the file number, and a designation as in Rule 7(a). In the complaint the title of the action shall include the names of all the parties, but in other pleadings it is sufficient to state the name of the first party on each side with an appropriate indication of other parties.

(b) *Paragraphs: Separate Statements.* All averments of claim or defense shall be made in numbered paragraphs, the contents of each of which shall be limited as far as practicable to a statement of a single set of circumstances; and a paragraph may be referred to by number in all succeeding pleadings. Each claim founded upon a separate transaction or occurrence and each defense other than denials shall be stated in a separate count or defense whenever a separation facilitates the clear presentation of the matters set forth.

(c) *Adoption by Reference: Exhibits.* Statements in a pleading may be adopted by reference in a different part of the same pleading or in another pleading or in any motion. A copy of any written instrument which is an exhibit to a pleading is a part thereof for all purposes.

(d) *Form of Papers.* All pleadings or other papers, electronically or manually filed, [to be filed] shall be plainly written or printed and unbacked, and if materially defaced by erasures, interlineations, or extraneous signs, symbols or markings from transmission errors, shall not be received by the Clerk of the Court without a Judge's order.

- 2) This amendment is effective February 16, 2009.

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Chief Judge

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Judge

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Judge

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Judge

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Judge

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Judge

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Judge

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Judge

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Judge